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State Environmental Commission

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Petition R093-13: This regulation revises NAC 445A. The Nevada Division of Environmental Protection (NDEP) is delegated to administer the Clean Water Act (CWA) in Nevada. During the 1970s, when Nevada was establishing its water quality standards program, standards were set for several waterbodies located on Federal Indian Reservations. In 1983, the Federal government established a federal Indian policy to treat Tribal governments on a government-to-government basis, and to support the principle of self-determination and local decision making by Indian Tribes. Section 518(e) of the CWA was added as part of the 1987 Amendments. This section authorizes the United States Environmental Protection Agency to treat federally recognized Indian Tribes in a similar manner as states for certain provisions of the CWA, including the water quality standards program. Additionally, federal court rulings and the Nevada Attorney General uphold the position that States do not have authority to undertake or implement environmental regulations on Tribal lands.

The regulation changes are needed as Nevada has no legal authority to regulate water quality on Tribal lands.

Authority citation other than 233B: §§1-318, NRS 445A.425 and 445A.520.

Notice date: October 31, 2013

Hearing date: December 4, 2013

EC Regulation R093-13, Adopted by the SEC on 12/04/13 – Filed with LCB on 12/06/13

**ADOPTED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R093-13

Effective December 23, 2013

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §§1-19, NRS 445A.425 and 445A.520.

A REGULATION relating to water quality; revising provisions relating to standards of water quality and the beneficial uses for certain bodies of water in this State; and providing other matters properly relating thereto.

Section 1. NAC 445A.120 is hereby amended to read as follows:

445A.120 1. NAC 445A.070 to 445A.2234, inclusive, apply to all natural streams and lakes, reservoirs or impoundments on natural streams and other specified waterways, unless excepted on the basis of existing irreparable conditions which preclude such use. Man-made waterways, unless otherwise specified, must be protected for public health and the use for which the waterways were developed.

2. The quality of any waters receiving waste discharges must be such that no impairment of the beneficial usage of water occurs as the result of the discharge. Natural water conditions may, on occasion, be outside the limits established by standards. The standards adopted in NAC 445A.070 to 445A.2234, inclusive, relate to the condition of waters as affected by discharges relating to human activities.

3. NAC 445A.11704 to 445A.2234, inclusive, do not apply to waters within the exterior borders of an Indian reservation.

Sec. 2. NAC 445A.1282 is hereby amended to read as follows:

445A.1282 The designated beneficial uses for select bodies of water within the Black Rock Region are prescribed in this section:

Water Body Name	Segment Description	Beneficial Uses										Aquatic Life Species of Concern	Water Quality Standard NAC Reference
		Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh	
Smoke Creek	From the California-Nevada state line to the Smoke Creek Desert.	X	X	X	X	X			X				NAC 445A.1286
Squaw Creek Reservoir	The entire reservoir.	X	X	X	X	X	X	X	X			Trout	NAC 445A.1288
Negro Creek	From its origin to the first irrigation diversion, near the west line of section 28, T. 36 N., R. 23 E., M.D.B. & M.	X	X	X	X	X	X		X				NAC 445A.1292
Summit Lake	The entire lake.	X	X	X	X	X	X	X	X			Trout	NAC 445A.1294
Mahogany Creek	From its origin to the Summit Lake Indian Reservation.	X	X	X	X	X	X		X				NAC 445A.1296
Leonard Creek	From its origin to the first point of diversion, near the south line of section 12, T. 42 N., R. 28 E., M.D.B. & M.	X	X	X	X	X	X		X				NAC 445A.1298
Bilk Creek, upper	From its origin to its intersection with the south line of section 35, T. 45 N., R. 32 E., M.D.B. & M.	X	X	X	X	X	X		X				NAC 445A.1302
Bilk Creek at Bilk Creek Reservoir	From its intersection with the south line of section 35, T. 45 N., R. 32 E., M.D.B. & M., to Bilk Creek Reservoir.	X	X	X	X	X	X	X	X			Trout	NAC 445A.1304
Bilk Creek Reservoir	The entire reservoir.	X	X	X	X	X	X	X	X			Trout	NAC 445A.1306
Bottle Creek	From its origin to the first point of diversion, near the east line of section 23, T. 40 N., R. 32 E., M.D.B. & M.	X	X	X	X	X	X		X				NAC 445A.1308
Quinn River, East and South Forks	From their origin to the confluence of the East and South Forks, except for the length of the river within the exterior borders of the Fort McDermitt Indian Reservation.	X	X	X	X	X	X		X				NAC 445A.1312

Water Body Name	Segment Description	Beneficial Uses											Aquatic Life Species of Concern	Water Quality Standard NAC Reference
		Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh		
Quinn River (the slough)	From the Oregon-Nevada state line in section 31, T. 48 N., R. 38 E., M.D.B. & M., to the confluence with the main tributary of the Quinn River at the south line of section 17, T. 47 N., R. 38 E., M.D.B. & M., except for the length of the river within the exterior borders of the Fort McDermitt Indian Reservation.	X	X	X		X		X	X					NAC 445A.1316
Irrigation	Irrigation													
Livestock	Watering of livestock													
Contact	Recreation involving contact with the water													
Noncontact	Recreation not involving contact with the water													
Industrial	Industrial supply													
Municipal	Municipal or domestic supply, or both													
Wildlife	Propagation of wildlife													
Aquatic	Propagation of aquatic life													
Aesthetic	Waters of extraordinary ecological or aesthetic value													
Enhance	Enhancement of water quality													
Marsh	Maintenance of a freshwater marsh													

Sec. 3. NAC 445A.1296 is hereby amended to read as follows:

445A.1296 The limits of this table apply to the body of water known as Mahogany Creek from its origin to *the exterior border of the* Summit Lake ~~Indian~~ *Indian Reservation*. Mahogany Creek is located in Humboldt County.

STANDARDS OF WATER QUALITY

Mahogany Creek

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X		X			

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Aquatic Life Species of Concern													
Temperature - °C ΔT ^b - °C		S.V. ≤ 20 ΔT = 0			*	X							
pH - SU		S.V. 6.5 - 9.0	X	X	*	*		X		*			
Total Phosphorus (as P) - mg/l		S.V. ≤ 0.10			*	*	X	X					
Dissolved Oxygen - mg/l		S.V. ≥ 6.0	X		*	X	X	X		X			
Total Ammonia (as N) - mg/l		c			*			X					
Total Dissolved Solids - mg/l		S.V. ≤ 500 or the 95th percentile (whichever is less).	X	X				*					
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 410				*	X						
Fecal Coliform - No./100 ml		S.V. ≤ 1,000	X				X	X		X			

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1282 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c The ambient water quality criteria for ammonia are specified in NAC 445A.118.

Sec. 4. NAC 445A.1464 is hereby amended to read as follows:

445A.1464 The limits of this table apply to the bodies of water known as the South Fork of the Humboldt River and its tributaries from their origin to Lee ~~[-]~~, *except for the length of the river and the lengths of its tributaries within the exterior borders of the South Fork Indian Reservation.* This segment of the South Fork of the Humboldt River and tributaries is located in Elko County.

STANDARDS OF WATER QUALITY

Humboldt River, South Fork and tributaries at Lee

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X		X			
Aquatic Life Species of Concern													
Temperature - °C ΔT ^b - °C		S.V. ≤ 20 ΔT = 0			*	X							
pH - SU		S.V. 6.5 - 9.0	X	X	*	*		X		*			
Total Phosphorus (as P) - mg/l		S.V. ≤ 0.10			*	*	X	X					
Dissolved Oxygen - mg/l		S.V. ≥ 6.0	X		*	X	X	X		X			
Total Ammonia (as N) - mg/l		c			*			X					
Total Dissolved Solids - mg/l		S.V. ≤ 500 or the 95th percentile (whichever is less).	X	X				*					
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 410				*	X						
Fecal Coliform - No./100 ml		S.V. ≤ 1,000	X				X	X		X			

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1432 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c The ambient water quality criteria for ammonia are specified in NAC 445A.118.

Sec. 5. NAC 445A.1466 is hereby amended to read as follows:

445A.1466 The limits of this table apply to the body of water known as the South Fork of the Humboldt River from Lee to its confluence with the Humboldt River ~~+~~, *except for the length of the river within the exterior borders of the South Fork Indian Reservation.* This segment of the South Fork of the Humboldt River is located in Elko County.

STANDARDS OF WATER QUALITY

Humboldt River, South Fork at the Humboldt River

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X	X	X			
Aquatic Life Species of Concern			Trout.										
Temperature - °C ΔT ^b - °C		S.V. ≤ 20 ΔT = 0			*	X							
pH - SU		S.V. 6.5 - 9.0	X	X	*	*		X	X	*			
Total Phosphorus (as P) - mg/l		S.V. ≤ 0.10			*	*	X	X					
Dissolved Oxygen - mg/l		S.V. ≥ 6.0	X		*	X	X	X		X			
Total Ammonia (as N) - mg/l		^c			*			X					
Total Dissolved Solids - mg/l		S.V. ≤ 500 or the 95th percentile (whichever is less).	X	X				*					
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 410				*	X						
Fecal Coliform - No./100 ml		S.V. ≤ 1,000	X					X	X		X		

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1432 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c The ambient water quality criteria for ammonia are specified in NAC 445A.118.

Sec. 6. NAC 445A.1556 is hereby amended to read as follows:

445A.1556 The limits of this table apply to the body of water known as *the* Reese {Creek} River from its origin to its confluence with Indian Creek { }, *except for the length of the river within the exterior borders of the Yomba Indian Reservation. This segment of the Reese {Creek} River* is located in Nye County.

STANDARDS OF WATER QUALITY

Reese {Creek} River at Indian Creek

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X		X			
Aquatic Life Species of Concern													
Temperature - °C ΔT ^b - °C		S.V. ≤ 20 ΔT = 0			*	X							
pH - SU		S.V. 6.5 - 9.0	X	X	*	*		X		*			
Total Phosphorus (as P) - mg/l		S.V. ≤ 0.10			*	*	X	X					
Dissolved Oxygen - mg/l		S.V. ≥ 6.0	X		*	X	X	X		X			
Total Ammonia (as N) - mg/l		c			*			X					
Total Dissolved Solids - mg/l		S.V. ≤ 500 or the 95th percentile (whichever is less).	X	X				*					
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 410				*	X						
Fecal Coliform - No./100 ml		S.V. ≤ 1,000	X					X	X		X		

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1432 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c The ambient water quality criteria for ammonia are specified in NAC 445A.118.

Sec. 7. NAC 445A.1558 is hereby amended to read as follows:

445A.1558 The limits of this table apply to the body of water known as the Reese River from its confluence with Indian Creek to State Route 722 (old U.S. Highway 50) { }, *except for the length of the river within the exterior borders of the Yomba Indian Reservation.* This segment of the Reese River is located in Lander and Nye Counties.

STANDARDS OF WATER QUALITY

Reese River at State Route 722

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X	X	X			
Aquatic Life Species of Concern			Trout.										
Temperature - °C ΔT ^b - °C		S.V. ≤ 20 ΔT = 0			*	X							
pH - SU		S.V. 6.5 - 9.0	X	X	*	*		X	X	*			
Total Phosphorus (as P) - mg/l		S.V. ≤ 0.10			*	*	X	X					
Dissolved Oxygen - mg/l		S.V. ≥ 6.0	X		*	X	X	X		X			
Total Ammonia (as N) - mg/l		c			*			X					
Total Dissolved Solids - mg/l		S.V. ≤ 500 or the 95th percentile (whichever is less).	X	X				*					
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 410				*	X						
Fecal Coliform - No./100 ml		S.V. ≤ 1,000	X				X	X		X			

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1432 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c The ambient water quality criteria for ammonia are specified in NAC 445A.118.

Sec. 8. NAC 445A.1622 is hereby amended to read as follows:

445A.1622 The designated beneficial uses for select bodies of water within the Truckee

Region are prescribed in this section:

Water Body Name	Segment Description	Beneficial Uses											Aquatic Life Species of Concern	Water Quality Standard NAC Reference
		Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh		
Lake Tahoe	Existing sampling points.	X	X	X	X	X	X	X	X	X			Cold-water fishery	NAC 445A.1626

Water Body Name	Segment Description	Beneficial Uses											Aquatic Life Species of Concern	Water Quality Standard NAC Reference
		Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh		
Lake Tahoe Tributaries	All tributaries to Lake Tahoe located in Nevada and which are not included in NAC 445A.1632 to 445A.1666, inclusive.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1628
Incline Creek, East Fork at the ski resort	From its origin to the ski resort.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1632
Incline Creek, West Fork at State Highway 431	From its origin to State Highway 431.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1634
Incline Creek, East Fork; Incline Creek, West Fork; and Incline Creek	The East Fork of Incline Creek from the ski resort to the West Fork of Incline Creek, the West Fork of Incline Creek from State Highway 431 to the East Fork of Incline Creek, and Incline Creek from the confluence of the East and West Forks of Incline Creek to Lake Tahoe.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1636
Third Creek, East Fork at State Highway 431	From its origin to State Highway 431.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1638
Third Creek, East Fork; Third Creek, West Fork; and Third Creek	The East Fork of Third Creek from State Highway 431 to the West Fork of Third Creek, the West Fork of Third Creek from its origin to the East Fork of Third Creek, and Third Creek from the confluence of the East and West Forks of Third Creek to Lake Tahoe.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1642
Wood Creek	From its origin to its confluence with Lake Tahoe.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1644
Second Creek at Second Creek Drive	From its origin to Second Creek Drive.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1646
Second Creek at Lakeshore Drive	From Second Creek Drive to its confluence with Lake Tahoe.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1648
First Creek at Dale and Knotty Pine Drives	From its origin to Dale and Knotty Pine Drives.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1652
First Creek at Lakeshore Drive	From Dale and Knotty Pine Drives to its confluence with Lake Tahoe.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1654
Glenbrook Creek	From its origin to its confluence with Lake Tahoe.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1656
Logan House Creek	From its origin to its confluence with Lake Tahoe.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1658
Eagle Rock Creek	From its origin to its confluence with Edgewood Creek.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1662

Water Body Name	Segment Description	Beneficial Uses											Aquatic Life Species of Concern	Water Quality Standard NAC Reference
		Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh		
Edgewood Creek at Palisades Drive	From its origin to 50 feet downstream from the culvert at Palisades Drive.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1664
Edgewood Creek at Stateline	From 50 feet downstream from the culvert at Palisades Drive to its confluence with Lake Tahoe.	X	X	X	X	X	X	X	X		X		Cold-water fishery	NAC 445A.1666
Truckee River at the state line	At the California-Nevada state line.	X	X	X	X	X	X	X	X				All life stages of mountain whitefish, rainbow trout and brown trout	NAC 445A.1682
Truckee River at Idlewild	From the California-Nevada state line to Idlewild.	X	X	X	X	X	X	X	X				All life stages of mountain whitefish, rainbow trout and brown trout	NAC 445A.1684
Truckee River at East McCarran	From Idlewild to the East McCarran Boulevard Bridge.	X	X	X	X	X	X	X	X				All life stages of mountain whitefish, rainbow trout and brown trout	NAC 445A.1686
Truckee River at Lockwood Bridge	From the East McCarran Boulevard Bridge to the Lockwood Bridge.	X	X	X	X	X	X	X	X				Juvenile and adult rainbow trout and brown trout	NAC 445A.1688
Truckee River at Derby Dam	From the Lockwood Bridge to Derby Dam.	X	X	X	X	X	X	X	X				Juvenile and adult rainbow trout and brown trout. However, the species which are sensitive to temperature are expected to seek a cooler microhabitat during July and August	NAC 445A.1692

Water Body Name	Segment Description	Beneficial Uses											Aquatic Life Species of Concern	Water Quality Standard NAC Reference
		Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh		
Truckee River at the Wadsworth Gage Pyramid Lake Paiute Reservation	From Derby Dam to the Wadsworth Gage Pyramid Lake Paiute Reservation.	X	X	X	X	X	X	X	X				Early spawning Lahontan cutthroat trout and their incubation, larvae, juveniles and migration, from May through June, depending on hydrologic conditions	NAC 445A.1694
Truckee River at Pyramid Lake	From the Wadsworth Gage to the mouth of the Truckee River at Pyramid Lake.	X	X	X	X	X	X	X	X				Early spring spawning Lahontan cutthroat trout and their incubation, larvae, juveniles and migration, from May through June, depending on hydrologic conditions	NAC 445A.16965
Bronco Creek	From its origin to the California-Nevada state line.	X	X	X	X	X	X	X	X					NAC 445A.1698
Gray Creek	From its origin to the California-Nevada state line.	X	X	X	X	X	X	X	X					NAC 445A.1702
Hunter Creek at Hunter Lake	From its origin to Hunter Lake.	X	X	X	X	X	X		X					NAC 445A.1704
Hunter Lake	The entire lake.	X	X	X	X	X	X		X					NAC 445A.1706
Hunter Creek at the Truckee River	From Hunter Lake to its confluence with the Truckee River.	X	X	X	X	X	X	X	X				Trout	NAC 445A.1708
Washoe Lakes	The entire lakes.	X	X	X	X	X	X	X	X					NAC 445A.1722
Steamboat Creek at the gaging station	From Little Washoe Lake to gaging station number 10-349300, located in the S 1/2 of section 33, T. 18 N., R. 20 E., M.D.B. & M.	X	X	X	X	X	X	X	X					NAC 445A.1724
Steamboat Creek at the Truckee River	From gaging station number 10-349300, located in the S 1/2 of section 33, T. 18 N., R. 20 E., M.D.B. & M., to its confluence with the Truckee River.	X	X	X	X	X		X	X					NAC 445A.1726
Franktown Creek, upper	From its origin to the first irrigation diversion, near the north line of section 9, T. 16 N., R. 19 E., M.D.B. & M.	X	X	X	X	X	X		X					NAC 445A.1728

Water Body Name	Segment Description	Beneficial Uses											Aquatic Life Species of Concern	Water Quality Standard NAC Reference
		Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh		
Franktown Creek at Washoe Lake	From the first irrigation diversion, near the north line of section 9, T. 16 N., R. 19 E., M.D.B. & M., to Washoe Lake.	X	X	X	X	X	X	X	X				Trout	NAC 445A.1732
Hobart Reservoir and tributaries	The entire system.	X	X	X	X	X	X	X	X				Trout	NAC 445A.1734
Ophir Creek at State Route 429	From its origin to State Route 429 (old U.S. Highway 395).	X	X	X	X	X	X		X					NAC 445A.1736
Ophir Creek at Washoe Lake	From State Route 429 (old U.S. Highway 395) to Washoe Lake.	X	X	X	X	X	X	X	X				Trout	NAC 445A.1738
Price's Lakes	The entire lakes.	X	X	X	X	X	X		X					NAC 445A.1742
Davis Lake	The entire lake.	X	X	X	X	X	X	X	X				Trout	NAC 445A.1744
Galena Creek, upper	From its origin to the east line of section 18, T. 17 N., R. 19 E., M.D.B. & M.	X	X	X	X	X	X		X					NAC 445A.1746
Galena Creek, middle	From the east line of section 18, T. 17 N., R. 19 E., M.D.B. & M., to gaging station number 10-348900 located in the SW 1/4 of the SW 1/4 of section 2, T. 17 N., R. 19 E., M.D.B. & M.	X	X	X	X	X	X	X	X				Trout	NAC 445A.1748
Galena Creek at Steamboat Creek	From gaging station number 10-348900, located in the SW 1/4 of the SW 1/4 of section 2, T. 17 N., R. 19 E., M.D.B. & M., to its confluence with Steamboat Creek.	X	X	X	X	X	X	X	X				Trout	NAC 445A.1752
White's Creek, upper	From its origin to the east line of section 33, T. 18 N., R. 19 E., M.D.B. & M.	X	X	X	X	X	X		X					NAC 445A.1754
White's Creek at Steamboat Ditch	Below the east line of section 33, T. 18 N., R. 19 E., M.D.B. & M., to Steamboat Ditch.	X	X	X	X	X	X	X	X				Trout	NAC 445A.1756
White's Creek at Steamboat Creek	Below Steamboat Ditch.	X	X	X	X	X	X	X	X					NAC 445A.1758
Lagomarsino Creek	The entire length; also known as Long Valley Creek.	X	X	X	X	X		X	X					NAC 445A.1762
Tracy Pond	The entire area.	X	X	X	X	X	X	X	X					NAC 445A.1764
Irrigation	Irrigation													
Livestock	Watering of livestock													
Contact	Recreation involving contact with the water													
Noncontact	Recreation not involving contact with the water													
Industrial	Industrial supply													
Municipal	Municipal or domestic supply, or both													
Wildlife	Propagation of wildlife													
Aquatic	Propagation of aquatic life													
Aesthetic	Waters of extraordinary ecological or aesthetic value													
Enhance	Enhancement of water quality													
Marsh	Maintenance of a freshwater marsh													

Sec. 9. NAC 445A.1694 is hereby amended to read as follows:

445A.1694 The limits of this table apply to the body of water known as the Truckee River from Derby Dam to the ~~{Wadsworth Gage.}~~ ***exterior border of the Pyramid Lake Paiute Reservation.*** This segment of the Truckee River is located in Storey and Washoe Counties.

STANDARDS OF WATER QUALITY

Truckee River at the ~~{Wadsworth Gage.}~~ ***Pyramid Lake Paiute Reservation***

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X	X	X			
Aquatic Life Species of Concern			Early spawning Lahontan cutthroat trout and their incubation, larvae, juveniles and migration, from May through June, depending on hydrologic conditions.										
Temperature - °C		S.V. Nov-Mar ≤ 13 ^c S.V. Apr-Jun ≤ 14 ^c S.V. Jul-Oct ≤ 25 ^d			*	X							
ΔT ^b - °C	ΔT = 0	ΔT ≤ 2											
pH - SU	S.V. 7.1 - 8.6	S.V. 6.5 - 9.0 ΔpH ± 0.5	X	X	X	*		X	X	*			
Total Phosphates (as P) - mg/l		A-Avg. ≤ 0.05			*	*	X	X					
Nitrogen Species (as N) - mg/l		Total N A-Avg. ≤ 0.75 Total N S.V. ≤ 1.2 Nitrate S.V. ≤ 2.0 Nitrite S.V. ≤ 0.04			*	*	X	X					
Total Ammonia (as N) - mg/l		e			*								
Dissolved Oxygen - mg/l		S.V. Nov-Jun ≥ 6.0 S.V. July-Oct ≥ 5.0	X		*	X	X	X		X			
Suspended Solids - mg/l	A-Avg. ≤ 25.0	S.V. ≤ 50			*								
Turbidity - NTU		S.V. ≤ 10			*			X					
Color - PCU	f	S.V. ≤ 75						*					
Total Dissolved Solids - mg/l	A-Avg. ≤ 245.0 S.V. ≤ 310.0	A-Avg. ≤ 500	X	X				*					
Chloride - mg/l	A-Avg. ≤ 20.0 S.V. ≤ 28.0	S.V. ≤ 250	X	X				*		X			
Sulfate - mg/l	A-Avg. ≤ 39.0 S.V. ≤ 46.0	S.V. ≤ 250						*					

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Sodium - SAR	A-Avg. ≤ 1.5 S.V. ≤ 2.0	A-Avg. ≤ 8		*				X					
Alkalinity (as CaCO ₃) - mg/l		< 25% change from natural conditions			*					X			
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 410				*	X						
Fecal Coliform - No./100 ml	A.G.M. ≤ 50 S.V. ≤ 250	S.V. $\leq 1,000$	X				X	X		X			

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1622 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c When flows are adequate to induce spawning runs of cui-ui and Lahontan cutthroat trout, the standard is 13°C from November through March and 14°C from April through June.

^d The desired temperature for the protection of juvenile Lahontan cutthroat trout is 21°C, even though that temperature is not attainable at all times.

^e The ambient water quality criteria for ammonia are specified in NAC 445A.118.

^f Increase in color must not be more than 10 PCU above natural conditions.

Sec. 10. NAC 445A.1804 is hereby amended to read as follows:

445A.1804 The limits of this table apply to the body of water known as the East Fork of the Carson River from the California-Nevada state line to the Riverview Mobile Home Park at U.S. Highway 395 south of Gardnerville {-}, *except for the length of the river within the exterior borders of the Washoe Indian Reservation.* This segment of the East Fork of the Carson River is located in Douglas County.

STANDARDS OF WATER QUALITY

Carson River, East Fork at U.S. Highway 395 south of Gardnerville

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X	X	X			
Aquatic Life Species of Concern			Rainbow trout and brown trout.										
Temperature - °C		S.V. Nov-May ≤ 13 S.V. Jun ≤ 17 S.V. Jul ≤ 21 S.V. Aug-Oct ≤ 22 ΔT ≤ 2			*	X							
ΔT ^b - °C	ΔT = 0												
pH - SU	S.V. 7.5 - 8.6	S.V. 6.5 - 9.0 ΔpH ± 0.5	X	X	X	*		X	X	*			
Total Phosphates (as P) - mg/l		A-Avg. ≤ 0.10			*	*	X	X					
Nitrogen Species (as N) - mg/l	Total Nitrogen A-Avg. ≤ 0.4 S.V. ≤ 0.5	Nitrate S.V. ≤ 10 Nitrite S.V. ≤ 0.06	X		*	X	X	*		X			
Total Ammonia (as N) - mg/l		c			*								
Dissolved Oxygen - mg/l		S.V. Nov-May ≥ 6.0 S.V. Jun-Oct ≥ 5.0	X		*	X	X	X		X			
Suspended Solids - mg/l		S.V. ≤ 80			*								
Turbidity - NTU		S.V. ≤ 10			*			X					
Color - PCU	d	S.V. ≤ 75						*					
Total Dissolved Solids - mg/l	A-Avg. ≤ 120 S.V. ≤ 175	A-Avg. ≤ 500	X	X				*					
Chloride - mg/l	A-Avg. ≤ 6 S.V. ≤ 10	S.V. ≤ 250	X	X				*		X			
Sulfate - mg/l		S.V. ≤ 250						*					
Sodium - SAR	A-Avg. ≤ 2	A-Avg. ≤ 8		*				X					
Alkalinity (as CaCO ₃) - mg/l		< 25% change from natural conditions			*					X			
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 410				*	X						
Fecal Coliform - No./100 ml	A.G.M. ≤ 20 S.V. ≤ 85	S.V. ≤ 1,000	X				X	X		X			

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1792 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c The ambient water quality criteria for ammonia are specified in NAC 445A.118.

^d Increase in color must not be more than 10 PCU above natural conditions.

Sec. 11. NAC 445A.1806 is hereby amended to read as follows:

445A.1806 The limits of this table apply to the body of water known as the East Fork of the Carson River from the Riverview Mobile Home Park at U.S. Highway 395 to Muller Lane \pm ,

except for the length of the river within the exterior borders of the Washoe Indian

Reservation. This segment of the East Fork of the Carson River is located in Douglas County.

STANDARDS OF WATER QUALITY

Carson River, East Fork at Muller Lane

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X	X	X			
Aquatic Life Species of Concern			Rainbow trout and brown trout.										
Temperature - °C		S.V. Nov-May ≤ 13°C S.V. Jun ≤ 17°C S.V. Jul ≤ 21°C S.V. Aug-Oct ≤ 22°C ΔT ≤ 2°C			*	X							
ΔT ^b - °C	ΔT = 0												
pH - SU	S.V. 7.4 - 8.7	S.V. 6.5 - 9.0 ΔpH ± 0.5	X	X	X	*		X	X	*			
Total Phosphates (as P) - mg/l		A-Avg. ≤ 0.10			*	*	X	X					
Nitrogen Species (as N) - mg/l	Total Nitrogen A-Avg. ≤ 0.5 S.V. ≤ 0.8	Nitrate S.V. ≤ 10 Nitrite S.V. ≤ 0.06	X		*	X	X	*		X			
Total Ammonia (as N) - mg/l		c			*								
Dissolved Oxygen - mg/l		S.V. Nov-May ≥ 6.0 S.V. Jun-Oct ≥ 5.0	X		*	X	X	X		X			
Suspended Solids - mg/l		S.V. ≤ 80			*								
Turbidity - NTU		S.V. ≤ 10			*			X					
Color - PCU	d	S.V. ≤ 75						*					
Total Dissolved Solids - mg/l	A-Avg. ≤ 180 S.V. ≤ 205	A-Avg. ≤ 500	X	X				*					
Chloride - mg/l	A-Avg. ≤ 8 S.V. ≤ 10	S.V. ≤ 250	X	X				*		X			
Sulfate - mg/l		S.V. ≤ 250						*					
Sodium - SAR	A-Avg. ≤ 2	A-Avg. ≤ 8		*				X					
Alkalinity (as CaCO ₃) - mg/l		< 25% change from natural conditions			*					X			
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 410				*	X						
Fecal Coliform - No./100 ml	A.G.M. ≤ 50	S.V. ≤ 1,000	X					X	X		X		

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1792 for beneficial use terminology.

- ^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.
- ^c The ambient water quality criteria for ammonia are specified in NAC 445A.118.
- ^d Increase in color must not be more than 10 PCU above natural conditions.

Sec. 12. NAC 445A.1812 is hereby amended to read as follows:

445A.1812 The limits of this table apply to the body of water known as the Carson River from Genoa Lane to U.S. Highway 395 at Cradlebaugh Bridge [-], *except for the length of the river within the exterior borders of the Washoe Indian Reservation.* This segment of the Carson River is located in Douglas County.

STANDARDS OF WATER QUALITY

Carson River at Cradlebaugh Bridge

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X	X	X			
Aquatic Life Species of Concern			Catfish, rainbow trout and brown trout.										
Temperature - °C		S.V. Nov-Apr ≤ 13 S.V. May-Jun ≤ 17 S.V. Jul-Oct ≤ 23			*	X							
ΔT ^b - °C	ΔT = 0	ΔT ≤ 2											
pH - SU	S.V. 7.5 - 8.4	S.V. 6.5 - 9.0 ΔpH ± 0.5	X	X	X	*		X	X	*			
Total Phosphates (as P) - mg/l		A-Avg. ≤ 0.10			*	*	X	X					
Nitrogen Species (as N) - mg/l	Total Nitrogen A-Avg. ≤ 0.85 S.V. ≤ 1.2	Nitrate S.V. ≤ 10 Nitrite S.V. ≤ 0.06	X		*	X	X	*		X			
Total Ammonia (as N) - mg/l		c			*								
Dissolved Oxygen - mg/l		S.V. Nov-Apr ≥ 6.0 S.V. May- Oct ≥ 5.0	X		*	X	X	X		X			
Suspended Solids - mg/l		S.V. ≤ 80			*								
Turbidity - NTU		S.V. ≤ 10			*			X					
Color - PCU	d	S.V. ≤ 75						*					
Total Dissolved Solids - mg/l	A-Avg. ≤ 180 S.V. ≤ 230	A-Avg. ≤ 500	X	X				*					

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Chloride - mg/l	A-Avg. ≤ 8 S.V. ≤ 15	S.V. ≤ 250	X	X				*		X			
Sulfate - mg/l		S.V. ≤ 250						*					
Sodium - SAR	A-Avg. ≤ 2	A-Avg. ≤ 8		*				X					
Alkalinity (as CaCO ₃) - mg/l		< 25% change from natural conditions			*					X			
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 410				*	X						
Fecal Coliform - No./100 ml		S.V. $\leq 1,000$	X				X	X		X			

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1792 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c The ambient water quality criteria for ammonia are specified in NAC 445A.118.

^d Increase in color must not be more than 10 PCU above natural conditions.

Sec. 13. NAC 445A.1836 is hereby amended to read as follows:

445A.1836 The limits of this table apply to the body of water known as Clear Creek from its origin to gaging station number 10-3105, located in the NE 1/4 of the NW 1/4 of section 1, T. 14 N., R. 19 E., M.D.B. & M. { }, *except for the length of the creek within the exterior borders of the Washoe Indian Reservation.* This segment of Clear Creek is located in Carson City and Douglas County.

STANDARDS OF WATER QUALITY

Clear Creek at the gaging station

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X		X			
Aquatic Life Species of Concern													
Temperature - °C ΔT ^b - °C		S.V. ≤ 20 ΔT = 0			*	X							
pH - SU		S.V. 6.5 - 9.0	X	X	*	*		X		*			
Total Phosphorus (as P) - mg/l		S.V. ≤ 0.10			*	*	X	X					
Dissolved Oxygen - mg/l		S.V. ≥ 6.0	X		*	X	X	X		X			
Total Ammonia (as N) - mg/l		c			*			X					
Total Dissolved Solids - mg/l		S.V. ≤ 500 or the 95th percentile (whichever is less).	X	X				*					
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 410				*	X						
Fecal Coliform - No./100 ml		S.V. ≤ 1,000	X				X	X		X			

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1792 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c The ambient water quality criteria for ammonia are specified in NAC 445A.118.

Sec. 14. NAC 445A.1838 is hereby amended to read as follows:

445A.1838 The limits of this table apply to the body of water known as Clear Creek from gaging station number 10-3105, located in the NE 1/4 of the NW 1/4 of section 1, T. 14 N., R. 19 E., M.D.B. & M., to the Carson River $\{ \}$, *except for the length of the creek within the exterior borders of the Washoe Indian Reservation.* This segment of Clear Creek is located in Carson City and Douglas County.

STANDARDS OF WATER QUALITY

Clear Creek at the Carson River

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X	X	X			
Aquatic Life Species of Concern			Trout.										
Temperature - °C ΔT ^b - °C		S.V. ≤ 20 ΔT = 0			*	X							
pH - SU		S.V. 6.5 - 9.0	X	X	*	*		X	X	*			
Total Phosphorus (as P) - mg/l		S.V. ≤ 0.10			*	*	X	X					
Dissolved Oxygen - mg/l		S.V. ≥ 6.0	X		*	X	X	X		X			
Total Ammonia (as N) - mg/l		c			*			X					
Total Dissolved Solids - mg/l		S.V. ≤ 500 or the 95th percentile (whichever is less).	X	X				*					
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 410				*	X						
Fecal Coliform - No./100 ml		S.V. ≤ 1,000	X					X	X		X		

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1792 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c The ambient water quality criteria for ammonia are specified in NAC 445A.118.

Sec. 15. NAC 445A.1882 is hereby amended to read as follows:

NAC 445A.1882 The designated beneficial uses for select bodies of water within the

Walker Region are prescribed in this section:

Water Body Name	Segment Description	Beneficial Uses											Aquatic Life Species of Concern	Water Quality Standard NAC Reference
		Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh		
Walker River, West Fork at the state line	At the California-Nevada state line.	X	X	X	X	X	X	X	X				Mountain whitefish, rainbow trout and brown trout	NAC 445A.1886

Water Body Name	Segment Description	Beneficial Uses											Aquatic Life Species of Concern	Water Quality Standard NAC Reference
		Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh		
Topaz Lake	At various points in Topaz Lake.	X	X	X	X	X	X	X	X				Rainbow trout, cutthroat trout, brown trout, kokanee salmon and silver salmon	NAC 445A.1888
Walker River, West Fork near Wellington	From the California-Nevada state line to near Wellington.	X	X	X	X	X	X	X	X				Mountain whitefish, rainbow trout and brown trout	NAC 445A.1892
Walker River, West Fork at the East Fork at the Walker River	Near Wellington to its confluence with the East Fork of the Walker River near Nordyke Road.	X	X	X	X	X	X	X	X				Brown trout and rainbow trout	NAC 445A.1894
Sweetwater Creek	From the California-Nevada state line to its confluence with the East Fork of the Walker River.	X	X	X	X	X	X	X	X				Mountain whitefish, brown trout, brook trout and rainbow trout	NAC 445A.1896
Walker River, East Fork at the state line	At the California-Nevada state line.	X	X	X	X	X	X	X	X				Mountain whitefish, rainbow trout and brown trout	NAC 445A.1898
Walker River, East Fork at Bridge B-1475	From the California-Nevada state line to Bridge B-1475.	X	X	X	X	X	X	X	X				Mountain whitefish, rainbow trout and brown trout	NAC 445A.1902
Walker River, East Fork at the West Fork of the Walker River	From Bridge B-1475 to its confluence with the West Fork of the Walker River near Nordyke Road.	X	X	X	X	X	X	X	X				Brown trout and rainbow trout	NAC 445A.1904
Walker River at the [inlet to Weber Reservoir] Walker River Indian Reservation	From the confluence of the East Fork of the Walker River and the West Fork of the Walker River to the [inlet to Weber Reservoir] exterior border of the Walker River Indian Reservation.	X	X	X	X	X	X	X	X				Channel catfish and largemouth bass	NAC 445A.1906
Walker River at [Schurz Bridge] Walker Lake	From [Weber Reservoir to the inlet] the exterior border of the Walker River Indian Reservation to Walker Lake.	X	X	X	X	X	X	X	X				Channel catfish, largemouth bass and, from February through June when an adequate flow exists, adult Lahontan cutthroat trout and adult rainbow trout	NAC 445A.1908

Water Body Name	Segment Description	Beneficial Uses											Aquatic Life Species of Concern	Water Quality Standard NAC Reference
		Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh		
Walker Lake	The entire lake.			X	X	X			X				Tui chub, Tahoe sucker, and adult and juvenile Lahontan cutthroat trout	NAC 445A.1914
Desert Creek	From the California-Nevada state line to its confluence with the West Fork of the Walker River.	X	X	X	X	X	X	X	X				Brown trout, brook trout and rainbow trout	NAC 445A.1916
Mason Valley Wildlife Management Area - Bass, Crappie and North Ponds and Hinkson Slough	Hinkson Slough, Bass Pond, Crappie Pond and North Pond.	X	X	X	X	X	X	X	X				Trout	NAC 445A.1918
Mason Valley Wildlife Management Area	All surface water impoundments, excluding Hinkson Slough, Bass Pond, Crappie Pond and North Pond.	X	X	X	X	X	X	X	X					NAC 445A.1922
Weber Reservoir	The entire reservoir.	X	X	X	X	X	X	X	X					NAC 445A.1924
Cottonwood Creek	From its origin to the point of diversion of the Hawthorne Naval Ammunition Depot, near the north line of section 34, T. 9 N., R. 28 E., M.D.B. & M.	X	X	X	X	X	X		X					NAC 445A.1926
Squaw Creek	From its origin to the point of diversion of the Hawthorne Naval Ammunition Depot, near the north line of section 33, T. 9 N., R. 29 E., M.D.B. & M.	X	X	X	X	X	X		X					NAC 445A.1928
Rose Creek	From its origin to the point of diversion of the Hawthorne Naval Ammunition Depot, near the north line of section 4, T. 8 N., R. 29 E., M.D.B. & M.	X	X	X	X	X	X		X					NAC 445A.1932
Corey Creek	From its origin to the point of diversion of the town of Hawthorne, near the west line of section 3, T. 7 N., R. 29 E., M.D.B. & M.	X	X	X	X	X	X		X					NAC 445A.1934
Irrigation	Irrigation													
Livestock	Watering of livestock													
Contact	Recreation involving contact with the water													
Noncontact	Recreation not involving contact with the water													
Industrial	Industrial supply													
Municipal	Municipal or domestic supply, or both													
Wildlife	Propagation of wildlife													

Water Body Name	Segment Description	Beneficial Uses										Aquatic Life Species of Concern	Water Quality Standard NAC Reference
		Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh	
Aquatic	Propagation of aquatic life												
Aesthetic	Waters of extraordinary ecological or aesthetic value												
Enhance	Enhancement of water quality												
Marsh	Maintenance of a freshwater marsh												

Sec. 16. NAC 445A.1906 is hereby amended to read as follows:

445A.1906 The limits of this table apply to the body of water known as the Walker River from the confluence of the East Fork of the Walker River and the West Fork of the Walker River to the ~~inlet to Weber Reservoir~~ **exterior border of the Walker River Indian Reservation.** This segment of the Walker River is located in Lyon County.

STANDARDS OF WATER QUALITY

Walker River at the ~~inlet to Weber Reservoir~~ **Walker River Indian Reservation**

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X	X	X			
Aquatic Life Species of Concern			Channel catfish and largemouth bass.										
Temperature - °C		S.V. Nov-Mar ≤ 13 S.V. Apr-Jun ≤ 23 ^c S.V. Jul-Oct ≤ 28 ΔT ≤ 2			*	X							
ΔT ^b - °C	ΔT = 0												
pH - SU		S.V. 6.5 - 9.0 ΔpH ± 0.5	X	X	*	*		X	X	X			
Total Phosphates (as P) - mg/l		A-Avg. ≤ 0.26 S.V. ≤ 0.40			*	*	X	X					
Nitrogen Species (as N) - mg/l	Total Nitrogen A-Avg. ≤ 1.2 S.V. ≤ 1.5	Nitrate S.V. ≤ 10 Nitrite S.V. ≤ 1 ^d	X		*	X	X	*		X			
Total Ammonia (as N) - mg/l		e			*								

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a									
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance
Dissolved Oxygen - mg/l		S.V. Nov-May ≥ 6.0 S.V. Jun-Oct ≥ 5.0	X		*	X	X	X		X		
Suspended Solids - mg/l		S.V. ≤ 80			*							
Turbidity - NTU					*			X				
Color - PCU		S.V. ≤ 75			X			*				
Total Dissolved Solids - mg/l	A-Avg. ≤ 400 S.V. ≤ 450	A-Avg. ≤ 500	X	X				*				
Chlorides - mg/l	A-Avg. ≤ 30 S.V. ≤ 35	S.V. ≤ 250	X	X				*		X		
Sulfate - mg/l	A-Avg. ≤ 95 S.V. ≤ 110	S.V. ≤ 250						*				
Sodium - SAR	S.V. ≤ 3	A-Avg. ≤ 8		*				X				
Alkalinity (as CaCO ₃) - mg/l		< 25% change from natural conditions			*					X		
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 410				*	X					

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1882 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c The temperature beneficial use standard is $\leq 21^{\circ}\text{C}$ from February through June when Lahontan cutthroat trout are present in the reach from Walker Lake to Weber Reservoir.

^d The nitrite beneficial use standard is ≤ 0.06 mg/l from February through June when Lahontan cutthroat trout are present in the reach from Walker Lake to the Weber Reservoir.

^e The ambient water quality criteria for ammonia are specified in NAC 445A.118.

^f Increase in turbidity must not be more than 10 NTU above natural conditions.

Sec. 17. NAC 445A.1908 is hereby amended to read as follows:

445A.1908 The limits of this table apply to the Walker River from ~~{Weber Reservoir to the inlet}~~ *the exterior border of the Walker River Indian Reservation* to Walker Lake. This segment of the Walker River is located in Mineral County.

STANDARDS OF WATER QUALITY

Walker River at ~~{Schurz Bridge}~~ *Walker Lake*

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a											
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh	
Beneficial Uses			X	X	X	X	X	X	X	X				
Aquatic Life Species of Concern			Channel catfish, largemouth bass and, from February through June when an adequate flow exists, adult Lahontan cutthroat trout and adult rainbow trout.											
Temperature - °C		S.V. Nov-Mar ≤ 13 S.V. Apr-Jun ≤ 23 ^c S.V. Jul-Oct ≤ 28 ΔT ≤ 2			*	X								
ΔT ^b - °C	ΔT = 0													
pH - SU		S.V. 6.5 - 9.0 ΔpH ± 0.5	X	X	*	*		X	X	X				
Total Phosphates (as P) - mg/l		A-Avg. ≤ 0.17 S.V. ≤ 0.23			*	*	X	X						
Nitrogen Species (as N) - mg/l	Total Nitrogen A-Avg. ≤ 1.2 S.V. ≤ 1.5	Nitrate S.V. ≤ 10 Nitrite S.V. ≤ 1.0 ^d Ammonia (un-ionized) ≤ 0.06	X		*	X	X	*		X				
Dissolved Oxygen - mg/l		S.V. Nov-May ≥ 6.0 S.V. Jun-Oct ≥ 5.0	X		*	X	X	X		X				
Suspended Solids - mg/l	S.V. ≤ 60	S.V. ≤ 80			*									
Turbidity - NTU		^e			*			X						
Color - PCU		S.V. ≤ 75			X			*						
Total Dissolved Solids - mg/l	A-Avg. ≤ 390 S.V. ≤ 570	A-Avg. ≤ 500	X	X				*						
Chlorides - mg/l	A-Avg. ≤ 23 S.V. ≤ 34	S.V. ≤ 250	X	X				*		X				
Sulfate - mg/l		S.V. ≤ 250						*						
Sodium - SAR	S.V. ≤ 3	A-Avg. ≤ 8		*				X						
Alkalinity (as CaCO ₃) - mg/l		< 25% change from natural conditions			*					X				
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 235			*	X								

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1882 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c The temperature beneficial use standard is ≤ 21°C from February through June when Lahontan cutthroat trout are present.

^d The nitrite beneficial use standard is ≤ 0.06 mg/l from February through June when Lahontan cutthroat trout are present.

^e Increase in turbidity must not be more than 10 NTU above natural conditions.

Sec. 18. NAC 445A.2146 is hereby amended to read as follows:

445A.2146 The limits of this table apply to the body of water known as the Colorado River from the Lake Mohave Inlet to the ~~{Arizona-Nevada}~~ **California-Nevada** state line below Davis

Dam [1], except for the length of the river within the exterior borders of the Fort Mojave

Indian Reservation. This segment of the Colorado River is located in Clark County.

STANDARDS OF WATER QUALITY

Colorado River below Davis Dam

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X	X	X			
Aquatic Life Species of Concern													
Temperature - °C		S.V. Nov-Apr ≤ 13 S.V. May-Jun ≤ 17 S.V. Jul-Oct ≤ 23			*	X							
ΔT ^b - °C	ΔT = 0	ΔT ≤ 2											
pH - SU		S.V. 6.5 - 9.0 ΔpH ± 0.5	X	X	X	*		X	X	*			
Total Phosphates (as P) - mg/l	A-Avg. ≤ 0.02 S.V. ≤ 0.03	A-Avg. ≤ 0.05			*	*	X	X					
Nitrogen Species (as N) - mg/l	Nitrate A-Avg. ≤ 1.1 S.V. ≤ 1.6	Nitrate S.V. ≤ 10 Nitrite S.V. ≤ 0.06	X		*	X	X	*		X			
Total Ammonia (as N) - mg/l		^c			*								
Dissolved Oxygen - mg/l		S.V. Nov-May ≥ 6.0 S.V. Jun-Oct ≥ 5.0	X		*	X	X	X		X			
Suspended Solids - mg/l		S.V. ≤ 25			*								
Turbidity - NTU		S.V. ≤ 10			*			X					
Color - PCU		^d			*			X					
Total Dissolved Solids - mg/l		^e	X	X				*					
Alkalinity (as CaCO ₃) - mg/l		< 25% change from natural conditions			*					X			
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 235				*	X						
Fecal Coliform - No./100 ml	A.G.M. ≤ 50 S.V. ≤ 100	S.V. ≤ 1,000	X				X	X		X			

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.2142 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c The ambient water quality criteria for ammonia are specified in NAC 445A.118.

^d Increase in color must not be more than 10 PCU above natural conditions.

^e The salinity standard for the Colorado River system is specified in NAC [445A.143.] 445A.1233.

Sec. 19. NAC 445A.1294, 445A.16965 and 445A.1924 are hereby repealed.

TEXT OF REPEALED SECTIONS

445A.1294 Black Rock Region: Summit Lake. (NRS 445A.425, 445A.520) The limits of this table apply to the entire body of water known as Summit Lake. Summit Lake is located in Humboldt County.

STANDARDS OF WATER QUALITY

Summit Lake

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X	X	X			
Aquatic Life Species of Concern			Trout.										
Temperature - °C ΔT ^b - °C		S.V. ≤ 20 ΔT = 0			*	X							
pH - SU		S.V. 6.5 - 9.0	X	X	*	*		X	X	*			
Total Phosphorus (as P) - mg/l		S.V. ≤ 0.10			*	*	X	X					
Dissolved Oxygen - mg/l		S.V. ≥ 6.0	X		*	X	X	X		X			
Total Ammonia (as N) - mg/l		c			*			X					
Total Dissolved Solids - mg/l		S.V. ≤ 500 or the 95th percentile (whichever is less).	X	X				*					
E. coli - No./100 ml		A.G.M. ≤ 126 S.V. ≤ 410				*	X						

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Fecal Coliform - No./100 ml		S.V. ≤ 1,000	X	*			X	X		X			

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1282 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c The ambient water quality criteria for ammonia are specified in NAC 445A.118.

445A.16965 Truckee Region: Truckee River at Pyramid Lake. (NRS 445A.425,

445A.520) The limits of this table apply to the body of water known as the Truckee River from the Wadsworth Gage to the mouth of the Truckee River at Pyramid Lake. This segment of the Truckee River is located in Washoe County.

STANDARDS OF WATER QUALITY

Truckee River at Pyramid Lake

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X	X	X			
Aquatic Life Species of Concern			Early spring spawning Lahontan cutthroat trout and cui-ui, and their incubation, larvae, juveniles and migration, from May through June, depending on hydrologic conditions.										
Temperature - °C		S.V. Nov-Mar ≤ 13 ^c S.V. Apr-Jun ≤ 14 ^c S.V. Jul-Oct ≤ 25 ^d ΔT ≤ 2			*	X							
ΔT ^b - °C	ΔT = 0												
pH - SU	S.V. 7.3 - 9.0	S.V. 6.5 - 9.0 ΔpH ± 0.5	X	X	X	*		X	X	*			
Total Phosphates (as P) - mg/l		A-Avg. ≤ 0.05			*	*	X	X					

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Nitrogen Species (as N) - mg/l		Total N A-Avg. ≤ 0.75 Total N S.V. ≤ 1.2 Nitrate S.V. ≤ 2.0 Nitrite S.V. ≤ 0.04 Ammonia S.V. ≤ 0.02 (unionized)			*	*	X	X					
Dissolved Oxygen - mg/l		S.V. Nov-Jun ≥ 6.0 S.V. Jul-Oct ≥ 5.0	X		*	X	X	X		X			
Suspended Solids - mg/l	A-Avg. ≤ 25.0	S.V. ≤ 50			*								
Turbidity - NTU		S.V. ≤ 10			*			X					
Color - PCU	^c	S.V. ≤ 75						*					
Total Dissolved Solids - mg/l	A-Avg. ≤ 415.0	A-Avg. ≤ 500	X	X				*					
Chlorides - mg/l	A-Avg. ≤ 105.0 S.V. ≤ 130.0	S.V. ≤ 250	X	X				*		X			
Sulfate - mg/l	A-Avg. ≤ 85.0 S.V. ≤ 106.0	S.V. ≤ 250						*					
Sodium - SAR	A-Avg. ≤ 2.4 S.V. ≤ 2.9	A-Avg. ≤ 8		*				X					
Alkalinity (as CaCO ₃) - mg/l		< 25% change from natural conditions			*					X			
Fecal Coliform - No./100 ml	A.G.M. ≤ 40 S.V. ≤ 250	$\leq 200/400^f$	X	X		*	X	X		X			

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1622 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c When flows are adequate to induce spawning runs of cui-ui and Lahontan cutthroat trout, the standard is 13°C from November through March and 14°C from April through June.

^d The desired temperature for the protection of juvenile Lahontan cutthroat trout is 21°C, even though that temperature is not attainable at all times.

^e Increase in color must not be more than 10 PCU above natural conditions.

^f Based on the minimum of not less than 5 samples taken over a 30-day period, the fecal coliform bacterial level may not exceed a geometric mean of 200 per 100 milliliters, nor may more than 10 percent of the total samples taken during any 30-day period exceed 400 per 100 milliliters.

445A.1924 Walker Region: Weber Reservoir. (NRS 445A.425, 445A.520) The limits of this table apply to the entire body of water known as Weber Reservoir. Weber Reservoir is located in Lyon and Mineral Counties.

STANDARDS OF WATER QUALITY

Weber Reservoir

PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARDS FOR BENEFICIAL USES	Beneficial Use ^a										
			Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh
Beneficial Uses			X	X	X	X	X	X	X	X			
Aquatic Life Species of Concern													
Temperature - °C ΔT ^b - °C		S.V. ≤ 34 ΔT ≤ 3			*	X							
pH - SU		S.V. 6.5 - 9.0	X	X	*	*		X	X	*			
Total Phosphorus (as P) - mg/l		S.V. ≤ 0.33			*	*	X	X					
Dissolved Oxygen - mg/l		S.V. ≥ 5.0	X		*	X	X	X		X			
Total Dissolved Solids - mg/l		S.V. ≤ 500 or one- third above that characteristic of natural conditions (whichever is less).	X	X				*					
Fecal Coliform - No./100 ml		c	X	X		*	X	X		X			

* = The most restrictive beneficial use.

X = Beneficial use.

^a Refer to NAC 445A.122 and 445A.1882 for beneficial use terminology.

^b Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone, but the increase must not cause a violation of the single value standard.

^c The more stringent of the following apply:

1 The fecal coliform concentration must not exceed a geometric mean of 1,000 per 100 milliliters, nor may more than 20 percent of total samples exceed 2,400 per 100 milliliters.

2 The annual geometric mean of fecal coliform concentration must not exceed that characteristic of natural conditions by more than 200 per 100 milliliters, nor may the number of fecal coliform in a single sample exceed that characteristic of natural conditions by more than 400 per 100 milliliters.

3 The fecal coliform concentration, based on a minimum of five samples during any 30-day period, must not exceed a geometric mean of 200 per 100 milliliters, and not more than 10 percent of total samples during any 30-day period may exceed 400 per 100 milliliters. This is applicable only to those waters used primarily for recreation involving contact with the water.

NOTICE OF ADOPTION OF REGULATION

The Nevada Division of Environmental Protection adopted regulations assigned LCB File No. R093-13, which pertain to chapter 445A of the Nevada Administrative Code on December 4, 2013. A copy of the regulations as adopted is attached hereto.

Permanent Regulation - Informational Statement

A Regulation Relating to Standards for Water Quality

Legislative Review of Adopted Regulations as Required
by Administrative Procedures Act, NRS 233B.066 & 233B.0603.10(f)

State Environmental Commission (SEC) LCB File No: R093-13

Regulation R093-13: This regulation revises NAC 445A by removing waterbodies, or portions of waterbodies, pertaining to State Water Quality Standards on Federal Indian Reservations.

1. Need for Regulation: The Nevada Division of Environmental Protection (NDEP) is delegated to administer the Clean Water Act (CWA) in Nevada. During the 1970s, when Nevada was establishing its water quality standards program, standards were set for several waterbodies located on Federal Indian Reservations. In 1983, the Federal government established a federal Indian policy to treat Tribal governments on a government-to-government basis, and to support the principle of self-determination and local decision making by Indian Tribes. Section 518(e) of the CWA was added as part of the 1987 Amendments. This section authorizes the United States Environmental Protection Agency to treat federally recognized Indian Tribes in a similar manner as states for certain provisions of the CWA, including the water quality standards program. Additionally, federal court rulings and the Nevada Attorney General uphold the position that States do not have authority to undertake or implement environmental regulations on Tribal lands.

The regulation changes are needed as Nevada has no legal authority to regulate water quality on Tribal lands.

2. A description of how public comment was solicited, a summary of public response and an explanation of how other interested persons may obtain a copy of the summary.

NDEP solicited public comment by distributing the draft rationale and proposed regulations via email to approximately 200 stakeholders and posting on the NDEP webpage. Notification of upcoming workshops was published in the Carson Appeal, Reno Gazette Journal, Elko Daily Free Press and Las Vegas Review Journal. Three public workshops were held as shown below.

August 19, 2013
Carson City
Richard H. Bryan State Office Building
901 South Stewart Street

Multipurpose Room, 1st Floor

August 26, 2013

Las Vegas

Clark County Wetlands Park Nature Center
7050 E. Wetlands Park Lane

August 29, 2013

Elko

Elko County Library Meeting Room
720 Court Street

Thirteen, three and two people attended the Carson City, Las Vegas and Elko workshops, respectively. No attendees expressed opposition to the proposed regulations.

Recordings of the workshops are posted on the SEC website at:

http://sec.nv.gov/main/hearing_1213.htm

Following the workshops, the SEC held a formal regulatory hearing on December 4, 2013 at the Nevada Department of Conservation and Natural Resources on Stewart Street in Carson City, Nevada. A public notice and agenda for the regulatory meeting was posted at the meeting location, at the State Library in Carson City, at the Office of NDEP in Las Vegas, at the Division of Minerals in Carson City, at the Department of Wildlife in Reno, on the LCB website and was sent to the SEC mailing list.

The public notice and the proposed permanent regulation, R093-13, were posted at the locations noted above, and additionally, were made available at county libraries throughout the state.

The public notice for the proposed regulation was published in the Las Vegas Review Journal and Reno Gazette Journal newspapers once a week for three consecutive weeks prior to the SEC regulatory meeting. Other information about this regulation was made available on the SEC website at: http://sec.nv.gov/main/hearing_1213.htm .

One comment letter was submitted to the SEC in opposition of the proposed regulation. The same individual who submitted the letter also testified at the hearing (See below).

The letter alleges that the proposed regulation relinquishes Nevada's authority to regulate water quality on Federal Indian Reservations to the Federal government. NDEP's response is that Nevada has no authority to regulate water quality on Tribal lands. R093-13 removes regulations that have no legal basis.

The letter also discusses the terms "navigable waters" and "waters of the United States" and refers to the U.S. Supreme Court SWANCC (2001) and Rapanos (2006)

decisions. NDEP's response is that although the issue of jurisdictional waters is of high importance, it is not relevant to the petition to remove water quality standards from waterbodies located on tribal lands.

3. The number of persons who attended the SEC Regulatory Hearing:

- (a) Attended December 4, 2013 hearing: 26 (approximately)
- (b) Testified on this Petition at the hearing: 2 (NDEP and one member of public)
- (c) Submitted to the agency written comments: 1

The same person who submitted written comments also testified:

Paul Bottari
Elko County Association of Realtors
557 West Silver St. Suite 201B, Elko, NV 89801
(775) 738-2395
paul@bottarirealty.com

4. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation of how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses through e-mail, the public workshop, at the December 4th Commission hearing and as noted in Number 2 above.

5. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The regulation was adopted without changes as the SEC determined that the comments received did not necessitate a change (see Number 2 above).

6. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public.

The proposed revisions do not regulate business; therefore, they are not expected to have any direct economic effect on the regulated community both immediately and long term.

7. The estimated cost to the agency for enforcement of the adopted regulation.

There will be no additional costs to the agency for enforcement of the proposed regulation.

8. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the

duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

This regulation does not duplicate any other federal, state or local regulation.

9. If the regulation includes provisions which are more stringent than a federal regulation, which regulates the same activity, a summary of such provisions.

The regulation is not more stringent than any federal regulation or guidance.

10. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

The regulation does not address specific fees.